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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

SLEVEN LAMAR JENKINS,

Defendant and Appellant.

B275394

(Los Angeles County
Super. Ct. No. BA248481)

THE COURT:*

Appellant Sleven Lamar Jenkins appeals from a postjudgment order denying his motion to prepare a settled statement in place of a reporter's transcript in a criminal appeal filed in 2005.

In 2004, a jury convicted appellant of receiving stolen property but deadlocked on a charge of conspiracy to commit a bank robbery. At a second trial in 2005, the jury convicted appellant on the conspiracy count. Appellant was sentenced to 31 years to life under the "Three Strikes" law (Pen. Code, § 667, subds. (b)-(i)). Appellant filed an appeal in 2005. In 2007, we affirmed

* BOREN, P. J.,

ASHMANN-GERST, J.

CHAVEZ, J.

his convictions in *People v. Jenkins* (Feb. 8, 2007, B183874) [nonpub. opn.], review denied May 9, 2007, S150306, (prior appeal).

During this prior appeal, on January 4, 2006, appellant's counsel requested correction of an omission in a reporter's transcript in the record on appeal. The court reporter submitted an affidavit stating there were no further proceedings to be recorded from the 2005 trial. After we issued our opinion in the prior appeal, appellant filed five original petitions for habeas corpus in both this court and the California Supreme Court from 2008 through 2016, all of which were denied. Appellant also filed a motion for reconsideration in the United States Court of Appeals for the Ninth Circuit, which was denied on April 3, 2014 (*Jenkins v. Uribe*, No. 13-55588). On March 9, 2016, the United States District Court for the Central District of California denied appellant's motion for relief from judgment (*Jenkins v. Hedgpeth*, No. CV 09-73 DMG (MRW)). It appears that appellant has an ongoing habeas petition before the Central District (*Jenkins v. Macomer*, No. CV 16-751 DMG (MRW) (C.D. Cal.)).

The instant appeal arose after appellant filed in the trial court on January 25, 2016, while acting in pro. per., a "motion for order permitting a prepared settled statement in place of the reporter[s] transcript on appeal." In his motion, appellant complained that the oral record from the 2005 trial—specifically, the proceedings on March 23, 2005—was not included as part of the record in the prior appeal. Appellant attached the affidavit from the court reporter stating there were no further proceedings to report from March 23, 2005. On March 30, 2016, the trial court denied appellant's motion ex parte, and this appeal followed.

We appointed counsel to represent appellant on appeal. After examination of the record, counsel filed an “Opening Brief” in which no arguable issues were raised. On August 18, 2016, we advised appellant that he had 30 days within which to personally submit any contentions or issues that he wished us to consider. Appellant submitted an inch-thick volume of documents consisting of an opening memorandum plus “exhibits, declarations, and all documents or files” under his various cases.

We are satisfied that no arguable issues exist in this appeal. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The order is affirmed.

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